

ASSEMBLY BILL

No. 1006

Introduced by Assembly Member Chu

February 20, 2003

An act to add Section 17615 to the Education Code, relating to pesticide.

LEGISLATIVE COUNSEL'S DIGEST

AB 1006, as introduced, Chu. Pesticide.

Existing law generally regulates pesticide use. Existing law, the Healthy Schools Act of 2000, requires the Department of Pesticide Regulation to promote and facilitate the voluntary adoption of integrated pest management for school districts.

This bill would prohibit all public schools from using the most highly toxic pesticides, as listed, on school property.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) Pesticides have been linked to numerous
- 2 acute and chronic illnesses, including cancer and asthma.
- 3 (b) Because children's bodies and brains are still developing,
- 4 exposure to pesticides can have detrimental and irreversible
- 5 effects.
- 6 (c) A recent study reveals that female teachers have a
- 7 significantly higher cancer rate compared to other women of the
- 8 same age and race, including brain cancer, breast cancer, and
- 9 leukemia, which shows a link to pesticides.

(d) Recognizing the impact of pesticides on the school community, the Department of Pesticide Regulation has developed a Web site, written training materials, and conducted regional training sessions to assist schools that have chosen to adopt least-toxic integrated pest management techniques and to eliminate use of the most dangerous pesticides.

(f) However, many California public schools continue to use highly toxic pesticides.

(g) It is necessary to take precautionary measures to protect the health and safety of California school children and teachers, and better ensure a safe learning and working environment.

SEC. 2. Section 17615 is added to the Education Code, to read:

17615. (a) No public school may use the most highly toxic pesticides on school property.

(b) For purposes of this section, “most highly toxic pesticides” means:

(1) Pesticide products with the highest acute toxicity as defined by the United States Environmental Protection Agency in Toxicity Categories I and II (40 C.F.R. 156.10).

(2) Pesticide products containing N-methyl-carbamate, neurotoxic organophosphorus compounds, or pyrethroids.

(3) Pesticide products containing active ingredients rated by the United States Environmental Protection Agency as use classification A, B, or C carcinogens (40 C.F.R. 131.36) or known to the state to cause cancer as listed pursuant to Proposition 65.

(4) Pesticide products containing active ingredients that cause birth defects, reproductive harm, or developmental harm as identified by the United States Environmental Protection Agency or listed pursuant to Proposition 65.

(5) All pesticides applied by fogging, bombing, tenting, broadcasting, or baseboard spraying.